REMARKS

Claims 2-6 have been rejected under 35 U.S.C. 102 as anticipated by the previously discussed and previously applied reference to Snow et al. U.S. Patent No. 6,434,455 as indicated at item 6 on pages 3 and 4 of the Patent Office Action.

Applicants traverse this rejection on the grounds that independent claim 6 contains limitations not disclosed by the reference to Snow et al.

Claim 1 recites "retransmitting, in response to an initiation signal, said transmitted data to a configuration document server and storing the transmitted data in a first database". According to the statement of rejection this claim limitation reads on the service computer communicating information from the module to a central server in Snow and the "initiation" signal reads on the "trigger" in Snow (see column 8, lines 52-67)".

Applicants submit that the triggering which occur and is discussed at column 8, lines 52 to 67 is a triggering of active monitoring which is monitoring by PC 14 and that the triggering is therefore not an initiation signal by which data is transmitted to a configuration document server even if it can be assumed that the server 16 is a configuration document server. Thus the triggering does not accomplish the claimed function. A data file 134 can be transferred to the server 16 at item 120. This is an option which allows an expert user at a remote location to consider the data, as is indicated at column 8, lines 19 to 24.

Applicants also submit that there is no showing of a separate compatibility documentation server and a configuration document server as is required by the claimed invention. Additionally, there is no indication that

configuration standards can be checked <u>for one of the products</u> by communications between the configuration documentation server and the compatibility documentation server as is claimed in the final paragraph of claim 6. According to the statement of the rejection, the claimed "performing a compatibility check...server" reads on the system verification testing of Snow et al. as indicated at column 12, lines 43 to 61. Applicants submit that the system verification testing 230 discussed at column 12 concerns software verification and system verification of the combination of the module 12, the PC 14, the server 16 and both data links 18 and 20. This entire system is what is tested and, if the system in its entirety is not performing correctly, then the diagnostic testing and the system update are not going to provide correct answers. Therefore it cannot be said that the compatibility is checked for the products by the compatibility data in the compatibility documentation server and it cannot be said that configuration standards of one of the products is testing by <u>communications</u> between configuration documentation server and the compatibility documentation server. Snow et al. does not have two separate documentation servers and does not provide a compatibility check by means of compatibility data in a compatibility documentation server.

The rejection indicates that performing a compatibility check reads on the system verification test. As indicated this is not a compatibility check of a product and is not a compatibility check in the normal meaning of the word compatibility and as defined in the specification. However, even for purposes of argumentation, if it is accepted that Snow accomplishes some kind of

compatibility by way of the system verification testing 230, it is certainly not of one of the products in the vehicle but is instead a verification of the operation of the entire system 10 to see that it is performing "correctly". Even in this instance it is quite clear that it is not the product in the vehicle which is being tested by the system verification testing and it is not a "compatibility" test.

Therefore applicants submit that the present invention defined by independent claim 6 provides subject matter not shown or disclosed by the reference to Snow et al.

In order to appreciate the distinction between the claimed invention and the references, applicants wish to reiterate that the present invention improves over the prior art by having the compatibility of the products used in the vehicles checked from a server outside the vehicle without being connected to the vehicle and at any time. A monitoring of the products which are actually used in the vehicle guarantees a fully functional vehicle. As indicated previously, the reference to Snow concerns logistic servers of reprogrammable vehicle modules with a central server being used to provide customized diagnostic scenarios that take into account characteristics of the module and its associated components. This provides a fault code or a listing of available symptoms to a to a service technician.
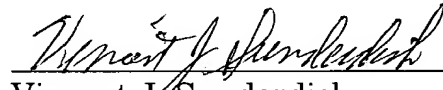
Once again applicants submit that claim 6 provides features which are not available from the reference to Snow and therefore applicants respectfully request reconsideration and allowance of this application containing claims 2-6.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #095309.50650US).

Respectfully submitted,

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Vincent J. Sunderdick
Registration No. 29,004

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844

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